

DECLARATION FOR UTILITY PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled

TOKENLESS FINANCIAL ACCESS SYSTEM

☒ The specification of which is attached hereto.

☐ The specification of which was filed on _____ as part of application no. _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information that is material to the patentability of the invention as claimed in this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Application Ser. No.	Country	Day/Month/Year Filed

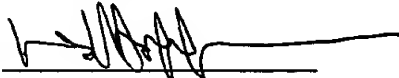
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 that occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Ser. No.	Filing Date	Status
08/992,092	December 17, 1997	pending
08/963,555	November 3, 1997	pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

09215058-121798

Full name of sole or first inventor: Ned Hoffman

Inventor's signature: 

Date: 12/17/98

Residence: Berkeley, California Citizenship: United States

Post Office Address: 977 Daniel Street, Sebastopol, California 95472

Full name of second inventor: David Ferrin Pare Jr.


Inventor's signature: 

Date: 12/17/98

Residence: Berkeley, California Citizenship: United States

Post Office Address: 1430 Josephine Street, Apt. R7, Berkeley, California 94703

Full name of third inventor: Jonathan Alexander Lee

Inventor's signature: 

Date: 12/17/98

Residence: Berkeley, California Citizenship: United States

Post Office Address: 6116 Telegraph Avenue, Oakland, California 94609

Full name of third inventor: Philip Dean Lapsley

Inventor's signature: 

Date: 12/17/98

Residence: Oakland, California Citizenship: United States

Post Office Address: 6029 Hillegass Ave., Oakland, California 94618

0945058-121798

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
) Art Unit: N/A
 Hoffman, et al.)
) Examiner: N/A
 Application. N/A)
)
 Filed:)
)
 For: TOKENLESS FINANCIAL ACCESS) POWER OF ATTORNEY
 SYSTEM)
)
)

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

SMARTTOUCH, Inc., a corporation of the State of Delaware, hereby
appoints;

KAMAREI, Ali (37,000);

as its attorney with full power of substitution to prosecute this application,
and to transact all business in the Patent and Trademark Office in connection
therewith. Please direct all correspondence to the following:

SMARTTOUCH, Inc.
Ali Kamarei, Esq.
46 Shattuck Square, Suite 12
Berkeley, California 94704
Telephone: (510) 843-3034

Date: 12/17/98



Ned Hoffman
Vice President
SmartTouch, Inc.

09215058-121798

Applicant or Patentee: Hoffman, et al.
Serial or Patent No.: N/A
Filed or Issued: _____
For: TOKENLESS FINANCIAL ACCESS SYSTEM

Attorney's
Docket No.: ST-A14

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS [37 CFR 1.9(f)] - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: SMARTTOUCH, INC.

ADDRESS OF CONCERN: 46 Shattuck Square, Suite 12, Berkeley, California 94704

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled TOKENLESS FINANCIAL ACCESS SYSTEM

inventor(s) Ned Hoffman, et al. described in

☒ the specification filed herewith.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time or paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

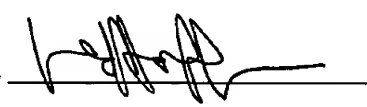
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Ned Hoffman

TITLE OF PERSON OTHER THAN OWNER: Vice President

ADDRESS OF PERSON SIGNING: SMARTTOUCH, Inc., 46 Shattuck Square, Suite 12, Berkeley, California 94704

SIGNATURE



DATE

12/17/98

021505-1733